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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/620,375	07/17/2003	Tomomi Kawase	110772.02	9711

25944 7590 07/20/2006

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EXAMINER

SANTIAGO, MARICELI

ART UNIT	PAPER NUMBER
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2879

DATE MAILED: 07/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/620,375	KAWASE ET AL.	
	Examiner	Art Unit	
	Mariceli Santiago	2879	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 May 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 2 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 2 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☒ Certified copies of the priority documents have been received in Application No. 09/988,743.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

The Amendment, filed on May 9, 2006, has been entered and acknowledged by the Examiner.

Claims 1 and 2 are pending in the instant application.

Claim Objections

Claim 2 is objected to because it states the recitation "for enclosing liquid crystal in the electro-luminescent device"; it appears that the term "liquid crystal" should be read "electro-luminescent material". Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Goldowsky et al (EP 0 431 249).

Regarding claim 1, Goldowsky discloses an intermediate product obtained in a process of making a liquid crystal device for an electronic apparatus, the intermediate product comprising at least one substrate (28), of a pair of substrates for enclosing liquid crystal in the liquid crystal device, and a plurality of filter element formation locations (29, 30, 31) aligned in a row on the at least one substrate (28), each element formation location of the row containing an amount of filter material at a given point in time, the amount of filter material contained in each

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element formation location of the row at the given point in time being less than an amount of filter material contained in each elements formation location in the liquid crystal device (Column 11, lines 22-37). Goldowsky discloses "The opacity or density of the dye droplets can be varied depending upon whether the dye layers are being deposited in a single pass, using a nozzle as wide as the total filter matrix, **or in multiple scans or passes to produce more than one coat**", as such it is understood that at a given point in time (for each of the scan stages) the amount of filter material contained in each element formation location is less than the total amount of filter material contained in each element formation location of the assembled liquid crystal device.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Goldowsky et al (EP 0 431 249).

Regarding claim 1, Goldowsky discloses an intermediate product obtained in a process of making a liquid crystal device for an electronic apparatus, the intermediate product comprising at least one substrate (28), of a pair of substrates for enclosing liquid crystal in the liquid crystal device, and a plurality of filter element formation locations (29, 30, 31) aligned in a row on the at least one substrate (28), each element formation location of the row containing an amount of filter material at a given point in time, the amount of filter material contained in each element formation location of the row at the given point in time being less than an amount of

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filter material contained in each elements formation location in the liquid crystal device (Column 11, lines 22-37). Goldowsky discloses "The opacity or density of the dye droplets can be varied depending upon whether the dye layers are being deposited in a single pass, using a nozzle as wide as the total filter matrix, **or in multiple scans or passes to produce more than one coat**", as such it is understood that at a given point in time (for each of the scan stages) the amount of filter material contained in each element formation location is less than the total amount of filter material contained in each element formation location of the assembled liquid crystal device.

Although, Goldowsky fails to disclose the limitation of the disclosed intermediate product being used for the manufacturing of electro-luminescent devices, one skilled in the art would reasonable contemplate the use and successful performance of the disclosed filter component of Goldowsky in electro-luminescent devices. Particularly, the manufacture and use of color filters components in liquid crystals devices and electro-luminescent devices, both being flat panel devices, is considered within the same field of endeavor and analogous in the art for the purpose of converting the light emitted and/or transmitted by either one of the devices to a desired color wavelength. Accordingly, it would have been obvious at the time the invention was made to a person having ordinary skills in the art to incorporate the color filter substrate disclosed by Goldowsky in electro-luminescent display devices for the purpose of converting the light emitted by the electro-luminescent device to a desired color wavelength.

Response to Arguments

Applicant's arguments with respect to claim 1 and 2 have been considered but are moot in view of the new ground(s) of rejection.

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Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mariceli Santiago whose telephone number is (571) 272-2464. The examiner can normally be reached on Monday-Friday from 9:30 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nimesh Patel, can be reached on (571) 272-2457. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about PAIR system,

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see <http://pair-direct.uspto.gov>. Should you have questions on access to Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Mariceli Santiago
Primary Examiner
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